

**DRAFT MINUTES**  
**Town of New Market – Shenandoah County**  
**Public Hearing**  
**Commission on Local Government**  
**7:00 p.m., May 3, 2010**  
**New Market Community Center, Gymnasium**  
**9184 John Sevier Road**  
**New Market, Virginia 22844**

**Members Present**

Harold H. Bannister, Jr., Chairman  
Wanda C. Wingo, Vice-Chairman  
Vola T. Lawson  
Kathleen K. Seefeldt

**Members Absent**

Cole Hendrix

**Staff Present**

Susan Williams, Local Government Policy Manager  
Zack Robbins, Senior Policy Analyst  
Steve Ziony, Principal Economist

**Call to Order**

Commission Chairman Harold H. Bannister, Jr., called the meeting to order at 7:00 p.m. on May 3, 2010 in the Gymnasium at the New Market Community Center in New Market, Virginia.

**I. Public Hearing on Proposed Voluntary Settlement Agreement**

**A. Introductory Remarks by the Chairman**

Mr. Bannister welcomed those in attendance and explained that the Commission scheduled the public hearing as part of its review of the proposed voluntary settlement agreement negotiated by the Town of New Market and Shenandoah County. He stated

## **Minutes**

### **Public Hearing**

**7:00 p.m., May 3, 2010**

#### **Page 2**

that, as submitted, the proposed agreement provides for the annexation to the Town of New Market of approximately 1,559 acres of territory located in Shenandoah County; for a grant of immunity from annexation for a period of 20 years; for development of the annexation area in accordance with a jointly-approved future land use plan/map; and for the transfer to the County of certain cash proffers received by the Town.

Mr. Bannister noted that the public hearing was advertised by notice published in the *Northern Virginia Daily* on Tuesday, April 13, 2010 and again on Tuesday, April 20, 2010. He further stated that notice of the public hearing was provided to the appropriate local government officials.

Next, Mr. Bannister introduced the members of the Commission and the staff. He then described the authority for the Commission's review of the agreement and summarized the activities that have occurred in connection with the review to date. Mr. Bannister stated that the Commission's record in this matter will remain open for the receipt of additional comment until May 18, 2010 and that the Commission will endeavor to issue its report no later than July 2010. He then opened the floor to receive comments from the public.

#### **B. Public Hearing**

Mr. Ernest Mongold of New Market spoke in favor of the proposed agreement; however, he expressed concern that prior annexations had occurred that did not set out who was responsible for providing services. He cited drainage problems caused by Interstate 81 with respect to his neighborhood as an example of why it is important to clarify the responsibilities of each party prior to entering into the agreement.

**Minutes**  
**Public Hearing**  
**7:00 p.m., May 3, 2010**  
**Page 3**

Mr. Chris Boies, New Market Town Manager, welcomed the Commission and introduced Town and County officials in attendance. Mr. Boies then addressed Mr. Mongold's concerns. Mr. Boies stated that the Virginia Department of Transportation (VDOT) maintains all roads in the Town of New Market and that, while VDOT acknowledges responsibility for the drainage issues in Mr. Mongold's neighborhood, they have no funds available to implement the necessary corrective improvements.

Next, Mr. Henry Buhl addressed the Commission and stated that he owns 50 acres north of New Market within the proposed growth area. Mr. Buhl requested clarification as to who would be responsible for providing infrastructure improvements associated with development in the growth area and at what time the improvements would be required.

Mr. Boies stated that the developer would be responsible for running water and sewer mains to the project. He further explained that such improvements would typically be proffered through rezoning and occur at the time of the annexation.

No other person appeared to testify before the Commission during the public hearing.

**C. Closing Statement by the Chairman**

The Chairman expressed the Commission's appreciation to the speakers for the comments they provided. He then reminded those in attendance that the Commission will close its record in this matter on May 18, 2010.

**Minutes**  
**Public Hearing**  
**7:00 p.m., May 3, 2010**  
**Page 4**  
**II. Adjournment**

There being no further business to come before the Commission, the meeting was officially adjourned at 7:26 p.m.

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Harold H. Bannister, Jr.  
Chairman

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Susan B. Williams  
Local Government Policy Manager